

EXHIBIT B

Honorable Sidney H. Stein, US
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Theodore R. Kennedy, PhD
5507 Nesconset Highway
Suite 10 PMB 401
Mount Sinai, New York 11766

Dear Honorable Judge, Stein:

I am Professor Theodore R. Kennedy (ret). I come to you on behalf of Yevgeny Shvartshteyn, (Gino). This is not the first time I've addressed The Court concerning Gino; however, I would not waister the Courts' time if I could not provide it with positive information demonstrating changes in Gino's character, and overall personality for the past nine years. The changes I'm talking about reflect upon his maturation, his ability to think for himself, and most of all accepting responsibility for what he had done. As a professor at the State University of New York—Stony Brook, for almost 30 years I have dealt with hundreds of students who had a multitude of problems. No matter the student, each ones problem(s) had a common theme—"How to get along with other people."

In the early nineties Gino took one of my classes. Requirements for this course were of three-fold: 1) an oral presentation; 2) group presentation; and 3) a written essay on the subject matter. Each one of these requirements had to have been accomplished by all the members in the group (3-4 ea). In every class there were some students who said they could not give an oral presentation (too nervous, etc), or they don't work well with other people. My response was that the course was not a required course (therefore, they didn't have to take it). They would respond: "We heard this was one of the greatest courses on campus." Then you know, if you take the course you must do the requirements. I told them that my doors were always open and if they needed any help come by.

The students who were apprehensive in taking the course, for the most part, had the best presentation and essays. I now had a group of students who grew more confidence in themselves but even more importantly, they trusted me—a trust was born. One of the problems between students and professors is the lack of trust. It was through this process that Gino and I struck up a relationship that ran the

gambit. By the end of the year he said, "I trust you 98%, but I'm holding that 2% until I can totally prove that you are with us."

The atmosphere that was created generated a cross-section of students coming to me and seeking advice about themselves and their relationship to others: Dads, Moms, Sister, Brothers... and friends.

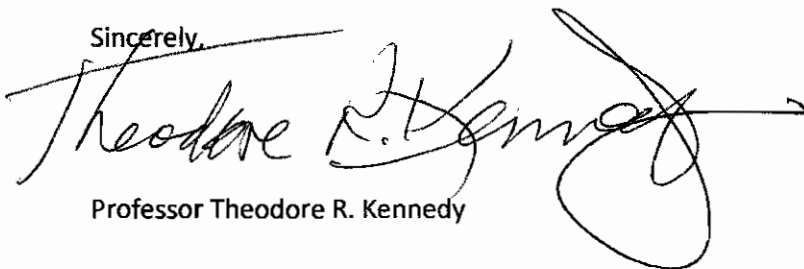
Parents would come to me and thank me for creating a dialogue between their son and his father (or other relatives). The two highest honors I felt I could receive from any of the students were: 1) seeing them walk across the stage—receiving their diplomas, and 2) being considered as one of the family.

It is through this backdrop that I've come to know Gino and am able to evaluate his changes. He had never been selfish but has built a rapport with his children that would rival any father. Because of his present situation he is not allowed to see his children as often as he would like to, but when they hear his voice and sees him they burst with great excitement. He understands the value of having a father in the house when his kids are growing up. He loves children and gets along with them very well—not just his kids, but his brother and cousin's kids—any children—he has a way with them and they love him.

I know that he has admitted to certain crimes, but I hope Your Honor will consider the changes and the present circumstances in Gino's life and Your Honor will be lenient with his sentence. Whether his children will grow-up and develop into a healthy life will depend on the quality time their father spends with them. They are very frigate at this stage. I beg Your Honor, please consider the remorse and changes in Gino for having committed these crimes and be merciful in your sentencing.

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "Theodore R. Kennedy", with a large, stylized flourish extending from the end of the signature.

Professor Theodore R. Kennedy

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY , NY 10007

Dear Hon. Sydney H. Stein

My name is Alexander Barkan I am a personal friend of Gino Shvarshsteyn. I have known Gino since the age of nine. We grew up together. We attended elementary school, high school, and college together. Like many Jewish families who arrived to the United States in the late seventies his family had to endure many hardships. Most people were on some kind of government hand out. Gino had to learn a new language and culture. Like most of us he had no choice but survive. The Russian community at the time was full of poor Jews exiled from their country due to religious persecution. We all had to survive. Some were more successful then others. Those successful people became role models to the young people of our community. Gino was influenced and enticed by the aura of these people. They were living legends and everyone knew their names.

Gino is a very charismatic person, every one loves him. He is a hero and role model for many young people in the Russian community and beyond. When we were young we would dream about the future and what successes we would achieve. We all looked up at G and his ability to entice the ladies. He inspired us to achieve in our personal lives. He is very athletic and always participated in neighborhood sports. Every Sunday there was two hand touch football and he got every one involved. He is a naturally born leader who is successful in gaining support and admiration from the community.

Gino has wonderful parents who remind me of my own. They are caring, nurturing, and supportive. When his mother had open heart surgery a few years ago he was very worried. They are very close and he respects them very much. You can always count on him to help out if needed. To support his character we have a personal friend named Dr. Kennedy. He is an anthropology professor we met in college. He took us under his wing and we have been friends ever since. He became very close to Gino and his family. He was very impressed with him and the closeness of his family and friends. So much so that he has a permanent place to stay at Gino's home. I do not believe many people have such a close relationship with previous college professors. I believe this is a clear attestation to Gino's character.

During college he excelled in academics. He graduated with a GPA of 3.4. He had a double major and received academic merit. To this day despite all the years of schooling I have done and the amount of people I have met Gino and I are very close friends. We may not talk often but when we do it is, like we saw each other yesterday. Dear Judge if there is anyway you can lighten his sentence it would be a great mitzvah. He understands his wrong doing and he wishes he could take it all back. He has two little children that need a father and friends and family that love him . I would like to thank you in advance for taking this letter into consideration.

Sincerely;

Alex Barkan M.D.

Assistant Professor, S.U.N.Y at Stony Brook School of Medicine.

Department of Surgery.

Tuesday, March 08, 2011

Honorable Sidney H. Stein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Your Honor:

I am writing to you in regards to Mr. Yevgeny "Gino" Shvartsshteyn who will be in front of Your Honor, in the near future on a pending legal matter. Looking at his situation reminded me of a time in my life, over twenty-six (26) years ago when I was in the same exact position that he is currently in. My life had stumbled to a halt as a result of a lot of bad decisions on my part that were 100 % related to what started out as recreational drug use. Thank God, I was in front of an individual that took the whole person into consideration and I ended up spending 16 months in federal custody which was well under the guidelines at that time. Honestly, the prison system at that time, was a failure if it was supposed to help people who enter its gates. The violent lifestyle and horrible overall treatment were almost too much to bear at times. Upon my release and with the right support, my entire life was able to change and today I am happily married, enjoying my grandchildren and revel in being a productive and active member of my local community.

This is one of those times where it is my belief that the courts could be merciful and see that individuals such as Gino can change and do the "right things". I would like to see his punishment fit what he has done and also for his community to benefit by what he may have to offer to them. I see that type of a sentence as a win-win situation for everyone involved.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Besden". The signature is fluid and cursive, with the first name "Mark" being more prominent and the last name "Besden" written in a more compact, cursive style.

Mark Besden
Project Director

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

Dear Judge Stein:

My name is Inna Kadymov. I am first cousin of Yevgeny Shvartsshteyn. As a petition for my cousin, I decided to write this letter. I'm sure you don't want me to write to you about Yevgeny as a child, which I can tell you he was the most wonderful child, as a teenager he was always responsible, honest and the most loyal friend, great brother and the most important wonderful son. Everybody loved and respected him in our family. Anytime one of us needed help, he was right there for us. Watching Yevgeny growing up, he turned into the most intelligent clean-cut man; Yevgeny is a very smart educated man. Every time I see him, I am proud that he is my family. He helped keep our family together. He helped his father work when he was sick and helps his brother with his Pharmaceutical business. He is always there to help anyone in the family that needs it. When my brother Arthur wanted to quit school, he convinced him with all his heart to stay and graduate with a college degree and become someone. He convinced him to stay and finish school that my brother did. Now my brother runs my fathers business and is very well know for his good work.

Yevgeny was there for me in bad times when I was going through a bad divorce with my husband. I was upset, felt alone and was depressed. I got to an unstable depression where I could not function or take care of my children. Yevgeny was there for me and helped me so much. He spent time with me consoling me and caring for me and most important for my children. He helped me get better. He was there when I needed him.

This is the part of my cousin that I know. He is always there to help everyone and does this because he cares and helps whenever he can. In anytime you need any information about Yevgeny, I will be more than happy to be there and help out the best way I can.

Inna Kadymov

A handwritten signature in black ink that reads "Inna Kadymov". The script is cursive and fluid, with the first name "Inna" written in a larger, more prominent style than the last name "Kadymov".

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

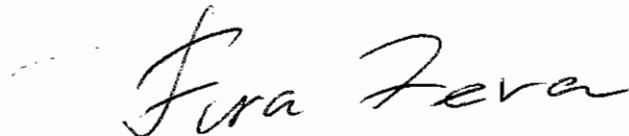
Dear Honorable Judge;

Please excuse me from taking your time. As an aunt of Yevgeny Shvartsshteyn, I feel it is important that before you judge Yevgeny, you know a little bit of his background. Yevgeny was born in Russia in a very hard working and respectful family. I have known Yevgeny since he was born. He has always been very caring and devoted son. He is Respectful to his elders and goes out of his way to help anyone in need. I feel I can vouch for Yevgeny's caring, well-meaning, thoughtful character. His goal was and continues to be, trying, to do the best for his friends and his family. He knows I was very sick. I had a heart attack, and balloon operation and I have diabetes. Yevgeny was always there for me. Gino is a very caring person. He continues to call and inquire about my health. I'm very proud to have a nephew like Yevgeny.

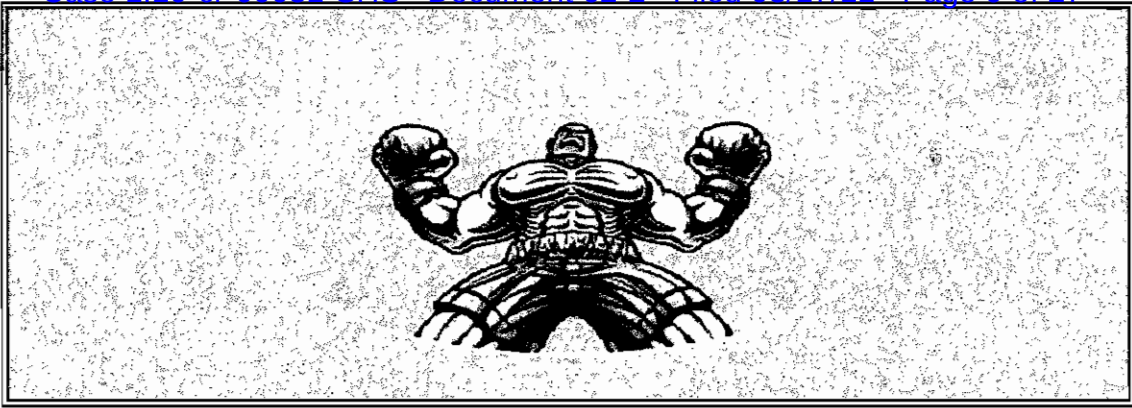
Thank G-d we were able to come to America, meet and rebuild our lives and raise our kids in a country with freedom. I'm a mother and have two children and 3 grandchildren. I always hoped that my grandchildren would be like Yevgeny. How this thing happened is hard for me to understand. It is hard for me to understand how such a wonderful nephew who only helped people made such a mistake.

It is my greatest hope for myself and our family that you are able to view this situation in a positive light. I sincerely hope you are able to take all of this into consideration. I am assured that the right thing will be done in the best interest of all of us. Thanking you in advance for your compassion and understanding.

Sincerely yours,

A handwritten signature in black ink that reads "Fira Zeva". The signature is written in a cursive, flowing style.

Fira Zeva



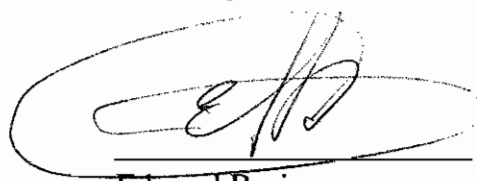
Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

Dear Judge Stein:

I am writing on behalf of Yevgeny Shvartsshteyn who has an extreme passion for helping children learn different sports. He has been helping me teach young children different strategies and sport techniques. With patience and tolerance he explained and demonstrated these methods clearly. Yevgeny drew out the very best from the kids in our classes who in return looked up to him.

I know Yevgeny is a dependable, responsible, honest and courteous person. He is one of the friendliest and kindest persons I have met. The children love him and care for him very much. I was very pleased to have him volunteeringly help me assist the kids while making it fun for them.

Sincerely,



Edward Borisov

**SHOREFRONT YM-YMHA
3300 CONEY ISLAND AVENUE
BROOKLYN, N.Y. 11235
(718) 646-1444**

March 9th, 2011

Hon. Sidney H. Stein
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

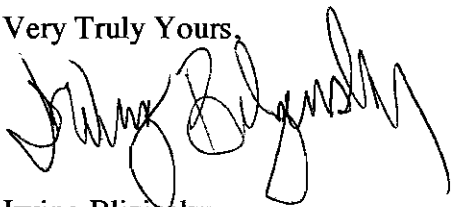
Dear Honorable Judge:

I am the program director at the Shorefront YM-YMHA an institution that is dedicated to providing social, recreational and cultural activities for the community. We serve large population, from senior citizens to young children from diverse ethnic backgrounds, many of who are recent immigrants or from single parent homes.

One of our most significant and successful programs is our athletic program designed to give our young people an alternative to "hanging out" on the streets by engaging them in athletic instructions and competition. In this regard, Gino Shvartsshteyn's participation has been invaluable. He volunteers his time several times a week for our basketball program, which he coaches and helps supervise. The kids on the team respect him and enjoy his company. He is patient with them and supports and guidance in their personal lives, the kids relate well to him because they perceive that Gino is genuinely interested in their welfare. I know of at least two cases where Gino's attention and concern saved young men from the dangerous influence of the street.

We have been fortunate to have Gino's assistance and participation. I believe he has been a fine mentor and role model for the young men in our program.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Irving Blizinsky", written in a cursive style.

Irving Blizinsky

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

Dear Honorable Judge Sydney H. Stein;

My name is Malvina Godish and I reside in Brooklyn, New York with my husband and two kids. I have known Yevgeny Shvartsshteyn for about 18 years. Yevgeny has been my friend since College. Although we did not attend the same school, we had mutual friends who introduced us and we now share a very close friendship.


During this time I have found Yevgeny to be a kind and trustworthy person. I have trusted him with all my secrets and shared a great deal of my life with him. He has been there for me when I needed him, weather it was just to hold my hand in a doctor's office or to give me good advice when I am down. He is a man of great integrity, is extremely dedicated to his family and work and is entirely peace loving.

There were many family gatherings where we took our kids to the museum, the zoo, parks and other recreational kid friendly places. Not only did he care for his kids, but also he gave the same full 100% attention to mine. He was playful, kind and fun for the kids to be around. He brought a sparkle to their eyes. He not only does it to kids but he puts a smile on my face every time I see him. He has the ability to make me shine. When I am down or upset all I need to do is call him and he would either be right there for me to cheer me up.

I went through a hard time when my husband and I separated and was very depressed and unhappy. I gained weight, cried a lot and took my anger out on the kids. I blamed everyone but myself for what was going on around me. Yevgeny was there for me to motivate me, comfort me and he gave me the best advice a friend could give. Yevgeny was there to motivate me to eat right coached me as a trainer to lose weight and I did. It made my confidence rise and I felt so much better about myself. Because of him, I restructured my life and rekindled my relationship with my husband. It made my confidence rise and I felt so much better about myself. Thankfully to him and his advice, my husband and I remarried and are happier than ever. He made us both see what matters most in our lives.

Furthermore, I have always seen Yevgeny help his neighbors with their daily chores, coaching the young kids in different sports, volunteering his time whenever he could for a good cause. He is always there for everyone to lend a hand: therefore I ask your honor to be lenient when passing judgment on Yevgeny Shvartsshteyn.

Yours sincerely,



Malvina Godish

Russell Shvartsshteyn
1040 Channel Drive
Hewlett Harbor, NY 11557
516-791-1044

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

March 8, 2011

Dear Honorable Judge:

I am writing this letter on behalf of my brother Yevgeny Shvartsshteyn. My name is Russell Shvartsshteyn, a licensed Physical Therapist and President & CEO of NuCare Pharmacy & Surgical, a small chain of Pharmacies in NYC. I am married and have 3 amazing children. My Brother to is a warmhearted, caring and loyal person. Becoming a Physical Therapist and owner of a chain of pharmacies could not have been accomplished had it not been for my brother's constant encouragement.

I could honestly say that he is the biggest influence of my life. When I graduated from high school, I did not want to go to college. I wanted to go work and make big money like most of my friends. When my brother found out about this, he gave me a four-hour lecture about the importance of a college degree. He wanted me to have an easier time than he did. He had to stop school when my father became ill to help support the family.

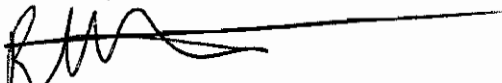
I knew he was trying to help me so I listened to his advice. I ended up going to the same college as my brother, SUNY at Stony. My brother was now a senior. During my freshman year I saw a side of my brother that I had never seen before. He was one of the founding father of our fraternity, Delta Sigma Phi. It was a normal fraternity, but Yevgeny wanted it to have qualities other fraternities did not have. My brother was not just a passive member; he was one of the most active members. He would find new volunteer jobs for the members of the fraternity; such as; March of Dimes, Highway Cleanup, and Big Brother programs.

While in College, Yevgeny spent an enormous amount of time with me. When I failed one of my exams, he would sit with me for hours until I understood the material. He pressured me to major in physical therapy, because that is a profession where you could become very successful. Having an undergraduate degree is not enough in today's world.

I am not saying what my brother did was right, but if you really got to know him you would know that he is really a good person. I know from personal experience that it is hard to go to school, when you see high school dropouts making large amounts of money. I truly believe that this was the underlying reason for my brother's mistakes. While he made the difficult choice to stay in school and get an education, he observed other people making large sums of money. Ironically, while he lectured me and others that there was no easy way in life, he did not listen to his own advice. I do not believe that he understood the idea of defrauding people and making money. Rather, he entered a world that he knew nothing about and relied upon the advice of other people.

For the last 5 years he has been trying to turn his life around and be a good father to his 2 children. He has been a wonderful father who has been helping his kids with education, teaching them a way of life, playing sports with them and giving them all he can. His children changed him into a better man who now only worries and cares for his children's future. I ask your honor to be merciful in sentencing my brother and give him a chance and ability to raise his kids.

Thank You,

A handwritten signature in black ink, appearing to be 'R. Shvatsshteyn', with a long horizontal line extending to the right.

Russell Shvatsshteyn

Hon. Sydney H. Stein

United States District Judge
United States Courthouse
500 Pearl St. N, NY 10007

Dear Honorable Sydney Stein,

I am writing on behalf of Yevgeny (Gino) Shvartsshteyn. Gino and I are first cousins because his mother and my father are sister and brother. I have known him my entire life (approximately 27 plus years) and have always known him to be compassionate and kind.

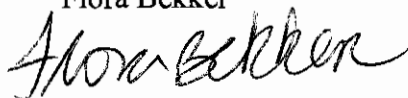
My parents have been divorced since I was 2 years old and I can honestly say that my entire life, Gino has always been like a father and brother to me. I was never close to my father and he was never a part of my life, but I always kept an extremely close relationship to his side of the family. At times, Gino would be my babysitter. We played together, enjoyed many family gatherings and even attended synagogue together as a family whenever possible. As I grew up into an adult, I always felt very comfortable confiding in him because he provided advice and guidance when I really needed it. He even promised to walk me down the aisle on my wedding day. I will stay optimistic and still hope for that day to happen.

I will never forget one day in April 2004. It was a rainy day and I got into a pretty bad car accident. I was scared and alone. The first person I called was Gino. Most people would call their parents, sister or brother. That's exactly what I did. I called my brother Gino. He was there in a matter of minutes. He held me while I cried and made sure I was safe. He had my car towed to a nearby auto shop and handled the entire situation with the driver I was in an accident with because I was frightened, shaken up and hurt.

This past year, I have especially noticed how much Gino has changed. He spends most of his time with his parents, our grandfather and his children, whose eyes light up as soon as he walks into the room. His remorse is most evident in the time he spends with his children. When I'm around him, I see the pain in his eyes as he realizes that he will miss many important moments in his children's lives.

In closing, I would just like to thank you for taking the time out to consider this letter and ask for your leniency in passing sentence on him.

Thank You,
Flora Bekker



Dear Honorable Sydney Stein,

I am writing this letter on behalf of my nephew Yevgeny (Gino) Shvartsshteyn. I know Gino, his entire life. My sister Faina is his mother. He was only eleven years old when his family migrated to the United States and I was there to witness him mature from a boy into a man, first hand.

Gino was always eager to lend a helping hand to his family. When his parents were both at work, he took care of his younger brother. When Gino's mother was hospitalized after going through a major surgery, her family was very worried. We were constantly in and out of the hospital but Gino rarely left her bedside. He was there day in and day out until his mother recovered and finally made it home. Seeing him this vulnerable showed a soft side in him that I have always admired. Presently, he always assists my father (his grandfather) who is very old and needs extra help because of his handicap.

I have always known Gino to be a very bright young man and I remember how shocking it was to me when he decided not to finish High School. To my sweet surprise, he turned back, got his equivalency degree and even continued to finish a four year university! This showed me that he did want to make things right. He did it for himself and for his family.

Through the years, I not only considered Gino a nephew, but also a dear friend. Besides spending many happy occasions together, we would spend hours discussing life and its ups and downs. I remember conversations pertaining particularly to family and understanding how important it was to support yours financially and emotionally. I also remember how heartbreaking it was to hear of the mistakes he made and how badly he wished he could turn back time and do things right, like he did when he reconsidered his education. Unfortunately, this is not as easy.

In conclusion, I would like to thank you for your time and hope that this letter can allow you to show mercy when passing his sentence.

Thank you,
Michael Bekker



3/14/2011

Honorable Judge Sydney H. Stein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Dear Honorable Judge:

My name is Elana Tobengauz, I am 35 years old and I work as head of client services for Halogen, Starcom MediaVest Group, a direct marketing agency in NYC. I live in Holmdel NJ with my husband Steve and my two children Daniel and Alex.

I am writing this letter on behalf of my cousin Gino Shvartsshteyn to offer some insight about his character and background.

Gino and his family are extremely important to me. When I was 9 years old my parents divorced and my mother moved with me to New York from California. It was a very difficult time for me as a child but Gino, at an early age, was supportive, made me feel welcome and immediately became a good friend.

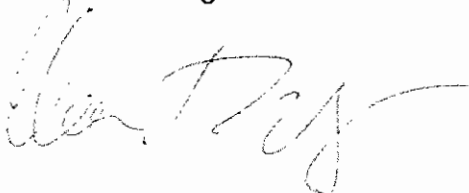
Over the years, he has been an integral part of our family. We grew up together from childhood friends to adults with children of our own. He has matured into an amazing dad, supportive son, loyal friend and community role model.

I am so saddened by his current situation for his children who need their father and for his parents who don't want to lose precious time with their son.

I hope Gino can overcome what lies ahead and continue to evolve and learn from his experiences. I respectfully ask that your honor show leniency in your judgment.

Sincerely,

Elana Tobengauz

A handwritten signature in dark ink, appearing to read 'Elana Tobengauz', with a long horizontal flourish extending to the right.

Gennady Shvartsshteyn
2333 Mill Ave.
Brooklyn, NY 11234

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

Dear Judge Stein:

I am Gennady Shvartsshteyn, father of Yevgeny. I am grateful to have the chance to tell you about my son, and our life so you can understand what kind of person Yevgeny is. I was born and lived in Odessa, Ukraine. I grew up in a small apartment with no windows, no outside light and little fresh air. I had two children, my parents and my grandmother under one roof. If we had any visitors, we had to go outside in the yard because there was no room inside. Odessa was a bad place to be a Jew. We were not trusted which made life very hard for us. I attended college until I left for the Army in 1966. I served in the Soviet Union Army when it invaded Czechoslovakia.

I married my wife Faina in 1966. Her father was a carpenter and our families had similar backgrounds. My mother urged us to get married, and I have always been happy that we did. But our life was hard. We lived in a small room we shared with my In-laws and my wife's brother. There was no kitchen or bathroom. It was shared in the building by others. I returned from serving in the Soviet Army in 1969 and a year later, to our joy Yevgeny was born. I worked hard and we moved to a slightly better apartment but I did not want this hard life for my son.

I tried to make a living as an engineer, but I earned only 80 Rubles a month. It was not enough to get by. I then worked as a carpenter to be able to try and support my family by being able to put food on the table. Being a Jew in Odessa was a hard life. You could not attend a University. You were limited from going anywhere in public. People were prejudice against Jews and would tell us to go back to Israel. But the Soviet government would not give us permission to leave the country either. We tried to live in a different city to make a better life for us, but the government only sent more people there and we had to share our now new apartment with more people. We had a room and that was all. We were not given a choice it was either that or live on the street. Yet the government still did not let us leave the country.

We applied for a visa during Brezhnev's presidency. The application was rejected. We kept trying for 2 years and then finally in October of 1981 we were granted permission to leave. All eight of us. My In-Laws, my children and of course my wife and I. The Move to the U.S. from the Soviet Union was not easy. In order to leave the Soviet Union we had to relocate in Israel. The Immigration process then went through Vienna.

That is where we migrated to first. In Vienna, we were watched and protected by soldiers. But in Vienna, we were informed that we can join my brother-in-law in New York instead. That we can change our migration to the United States instead of Israel. Once paperwork was complete for the transport to New York, we had to then be transferred to Rome, Italy. All eight of us lived in one room for quiet some time. My mother in law had cancer and spent most of her time in a Jewish Hospital in Rome. Finally in November 1981, we arrived in America. We first lived in my brother's apartment and NYANA helped me get a job as a carpenter. I received a salary of \$170 a week to paint 3 apartments. I was happy. I did not want the support of welfare. I wanted myself to be able to work and feed my family. After about 10 months, I got a job at the Helmsley Palace in New York. I was able to earn \$9.50 an hour and my wife found a job in a Laboratory. We were finally able to rent our own apartment. We rented an apartment in the same building our family members had lived in to be close to them.

We registered our children with the New York public school. At first it was hard for Yevgeny in school. He had no friends and could not speak the language. But that didn't stop him from studying hard and trying his best. He learned the language fast and did very well in school. Russell was much younger and it was easier for him to adjust and pick up the English Language at the age of 5.

I was soon offered a job as a contractor for my employer who started to purchase buildings in 1984 and converting them into Co-Ops. I decided to become a contractor myself instead of a carpenter because I saw that I am good at it and can do a better job to support my family. Yevgeny worked with me after school. He helped me install kitchens, build bathrooms and more. I wanted to teach him these things so that maybe in the future he can follow in my steps and make a living for himself. While working, I injured my back and ended up in the hospital. I used a cane for support to walk and could no longer lift heavy items. Yevgeny at the time was in High School. He chose to stop school so he can help me support the family and keep my business from falling. He always stood by me and took the role of a man trying to support and help the family. Once I got better, Yevgeny kept his promise to me to finish school. He took his GED test and attended college. He was accepted to Stony Brook University. He lived in a dorm in college. He would come home every Friday and work with me on the weekends and during summer vacation.

Yevgeny graduated with honors in 1994. He came home and started to look for work. I suggested to him to open a Contracting company and that I would come and work for him. He did so in October of 1994 and we worked together as blue-collar workers. The job was a dirty labor job but we worked together and that's what mattered. He was then offered a different type of opportunity. Not a labor job but a white-collar job on Wall Street. An office job.

We always wanted the best for Yevgeny. The chance to attend a good University. A good job. A nice life and Yevgeny deserved the best. He was always a good son and was always kind and respectful to his family and neighbors. He always brought friends

home that were pleasant young men and women. Yevgeny always tried to be his best to help other people and I am always proud of him for that.

There is no doubt for me that my son had changed. I feel he is remorseful for what he has done and that he understands the nature of his crime and all the people he has hurt. But the changes I have seen in him in the past year somehow tell me that he has become a better man with more understanding to his situation by trying to be more of a family man. He has been spending every minute he can with his children and family. He has been attending synagogue more often and listening to the guidance of his rabbi he has views the world and his mistakes more clearly now. I ask your honor to have mercy on my son and consider all the good he has done for everyone around him. To view him through our eyes and be lenient on his sentence. Please give him the chance to see his children grow and to be there for us as we get older. Give him the chance to start a new life with his fiancé who has waited for her chance in Marriage and wanting a family and kids of her own to share with Yevgeny.

Sincerely,

A handwritten signature in black ink, appearing to read "Gennady Shvartsshteyn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gennady Shvartsshteyn

Faina Shvartsshteyn
2333 Mill Ave.
Brooklyn, NY 11234

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

Dear Hon. Judge Stein:

Please excuse me for taking your time. I am the mother of Yevgeny, Faina Shvartsshteyn. I feel it is important that you get to know some background of his life. First I would like to introduce myself to you. I am a mother of two sons. Yevgeny and Russell Shvartsshteyn. I am married Gennady for over 44 years now.

When we first married, we lived in Odessa, Ukraine in a small room with my parents and my brother. There was no kitchen or bathroom. My husband had to go to the army for three years. When Yevgeny was born, we moved to a slightly better apartment. My husband left his engineering job and learned to be a carpenter and help out my father at work so that we could have enough money to eat and get by. When my 2nd son Russell was born, we knew there was no more life for us in Odessa and that it is going to be a hard and long process to leave to the United States.

In 1981, after 3 year of applying for an immigration visa to the United States, we were finally able to come to America to start a new life for our children and us. When we immigrated to the United States, Yevgeny was 11 years old and Russell was only 5. My children would attend school during the day and after school Yevgeny would take care of his younger brother Russell until my husband and I would return home from work.

Yevgeny attended 6th grade and it was very hard from him to be accepted and learn the English language but he never gave up. He studied hard in school and thought himself the English language and adjusted well. He then graduated middle school and made it to Junior high school with the rest of his class. At the time I worked for a laboratory and my husband worked for a home improvement contractor. During school breaks, Yevgeny worked with my husband helping him any way he could. When my husband became sick and was unable to work, Yevgeny against our wishes quit school so that he could help the family financially by taking over my husbands work. When my husband felt well enough to return to work, Yevgeny went back to finish high school and went on to college. We were so proud of him. Yevgeny Attended Stony Brook University and graduated with honors and a Bachelors of Arts Degree.

After graduating college Yevgeny went to work in his father's contracting company, but he was not satisfied and continued to look for a more professional job. He then was given a position to work for a firm on Wall Street. He has made his mistakes by getting involved with the wrong crowd of people and has paid for it dearly.

In 2005 I had to undergo a very serious and dangerous cardiovascular surgery. I had a valve replacement procedure that kept in hospital for over a month. Yevgeny came to visit me everyday and would stay to care for me most of the day. When the doctors prepared me for the worst, Yevgeny would cheer me up and was always optimistic with me. He was one of the biggest reasons I got better.

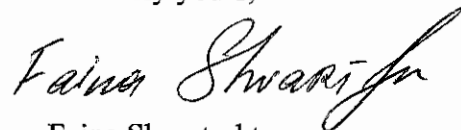
Since then, he has made his own family, having two wonderful twins, Katerina and Tyler who mean the world to him. He makes a wonderful father who takes them every chance he gets to parks, movies and museums. He helps them with homework and teaches them right from wrong. They are truly his life. He is a giving and devoted father to them and loves them very much. I unfortunately am unable to see my grandchildren due to the court restriction of the kids visitation rights placed on my son. Before the restriction, Yevgeny would always bring the children to our house to visit us, I am now sad that we as grandparents do not have the ability to see them.

Yevgeny is a caring, well-meaning, kind a thoughtful son. He is always available under any circumstances to take care of his kids, family and friends. No mother can feel as much pride as I do to have a son as good as Yevgeny. When I found my son has been arrested I was surprised. But what shocked me most is that he pled guilty to the counts that he was charged with. I beg of you, please take all of this into consideration before sentencing him.

If I can help in any way, please contact me. I am assured that the right thing will be done in the best interest of all of us.

Thank you in advance for your time and understanding.

Sincerely yours,


Faina Shvartsshteyn

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl St. NY, NY 10007

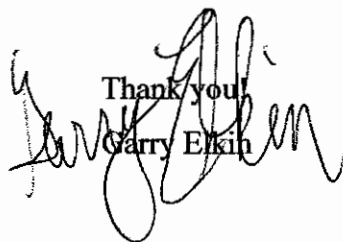
Dear Judge Stein:

My name is Garry Elkin and I am writing this letter to you in regard to Yevgeny Shvartsshteyn. I've known him since childhood and he practically seen me grow up. I wanted to tell you about how he directly affected my life and what I know of it now.

A couple of years ago my father passed away. It was a devastating shock to me. I felt like I had no reason to live because the most important person in my life was gone. I was doing poorly at work and as a result I got fired. I also started to develop a bad drug addiction. When Yevgeny found out about this, he immediately called me up and said he wanted to speak to me. He explained to me how important a self fulfilling life is and that it goes on even if you miss that person so dear to you. He became that father figure to me. He helped get back on my feet and move forward past this heartache. My addiction was taking a toll on my health. Yevgeny mentored me and helped me stop using drugs. We go to the gym weekly now and he still continues on helping to stay away from drugs. If it wasn't for him, my life would be nothing now. I was on the verge of becoming a useless junky and he scraped me off the floor, picked me up and gave me a push that was much needed. He didn't have to do any of those things for me, but he saw a person in need and intuitively knew that he can help. So he did.

I greatly admire him, and not just me but my friends and family as well. Yevgeny is respected among my circle of friends and by many others. He is not feared as some might perceive, but truly looked up to as a man and a good person. Thankfully to him I now have a good job and can be the role model that I should be to my little sister. I know that these things don't justify his wrong doing. But we are all human and we all make mistakes. I am asking you to give him a fair sentence because he can do so much more good for this world.

Thank you!
Garry Elkin





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Administration

Leah Dashevsky

Office Manager

March 2, 2011

Hon. Sydney H. Stein
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Dear Judge Stein:

We would like to bring to your attention that Yevgeny Shvartsshteyn had kindly volunteered to assist with our annual clothing drive by helping us to deliver clothes to the people in need.

They say that "clothes make the man or woman" and when a person doesn't have decent clothing to wear, it deeply affects them. By taking the time to forward this clothing to people in need, Yevgeny have demonstrated his care and concern for others less fortunate than him. On their behalf we send him their gratitude and appreciation. We are very pleased to have Yevgeny as our partner making a difference in alleviating poverty, illness and hunger from our world and thereby making it a better place for all of us.

Again, we are very thankful to Yevgeny Shvartsshteyn for helping GJARN help those in need.

Sincerely,

Rabbi Eliezer Avtzon
Executive Director



March 15, 2011

Honorable Sydney H. Stein,

My name is Robert Marchini. I am the owner and Pharmacist of NuCare Pharmacy & Surgical. The store is located on 25th street and 9th Ave in Manhattan. I hired Gino Shvartsshteyn June 9th 2010. Initially I hired Mr. Gino Shvartsshteyn to help manage the store but Gino is much too motivated to let that be his only responsibility. His personality and energy has been a great asset to my store. He has taken on projects such as marketing campaigns where he visits physician's offices in the area and helps build our relationship with the physicians in the community. He visits a senior center in the neighborhood and is constantly trying to develop programs where we may help provide services to seniors in need. He has recently provided us with a direct means to donate canes, walkers, wheelchairs etc. to this same senior center.

I am writing this letter because I truly feel that Gino would not only be an asset to my store in the future but also to the community we work in. I have never met anyone more full of life and who can relate to so many different people and personalities. He can spend time fitting a senior for a wheelchair or spend time at lunch with a physician talking about services we can provide. I see great satisfaction in him when he accomplishes good things and believe he can contribute to society in infinite ways. I only wish you could spend time working closely with Gino as I have so that you may see the great things he is capable of. I realize this is not possible so I hope this letter somehow gives you some insight into the type of person Gino truly is. I am proud to write this letter for Gino and am honored to work with him.

Robert Marchini RPh. C.Ped
NuCare Pharmacy & Surgical
250 9th Ave NY NY 10001
p.212.462.2525 f.212.462.0040

912 State Route 143
Westerlo, New York 12193

March 16, 2011

The Honorable Sidney H. Stein
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States of America v. Yevgeny Shvartshteyn

Dear Judge Stein:

I write on behalf of Yevgeny ("Gino") Shvartshteyn to urge the Court to exercise its most terrifying power (to sentence a person to a term of confinement) with an abundant sense of mercy, kindness and understanding. I am a graduate of the Yale Law School, where justice and mercy were mere concepts. I am also a convicted felon, who, in 1997, was sentenced to 33 months in federal prison for mail fraud. It was at that time that I met Gino Shvartshteyn and learned much more about the qualities of justice, mercy and kindness.

Prison takes away nearly everything that makes us human: isolated from civilization and ruled by a system engineered more by prisoners than authorities, you learn to keep to yourself, trust no one, ask no questions, look straight ahead, and do your own time. It is a loneliness that cannot be imagined. Thoughts of those on the outside are too painful, slow time even more, and distract one from the necessary vigilance required by the surrounding hostility. Time served is referred to as "being down" because it is as low as a man can go. How long someone has been "down" is apparent from demeanor, walk, voice and spirit. When I was a law student, law clerk, or lawyer, I could not have imagined what it would be like to be deprived of freedom for months.

I am not advocating immunity for crime; but, I am arguing for a powerful sense of fairness. Rehabilitation is not found in the prison curriculum. Prison is a warehouse and an incubator for brutality and inhumanity. Sometimes, however, people not broken by the system find real character and compassion in themselves and others. Gino Shvartshteyn was someone who was neither broken nor lacking in compassion or character. He was a rebel against the rule of brutality. He tried to lift the spirits of others and defied the notion that kindness should not be revealed in prison. It is hard for me to accept the image of him

portrayed by the indictment. He had every chance in prison to be a person lacking in moral character, and was anything but. He is a charismatic person, who loves to project the image of a tough guy; a man's man. In fact, that is his way of being paternalistic to his friends and family. The portrait of him as someone lacking in moral and social character is a stereotype that ignores his essential goodness and true value. During our time at Allenwood, I saw no evidence of the immoral and anti-social character depicted in the indictment. And I have been in touch with him over the years and my experience is no different. He is a person who is deeply concerned for the well-being of others. He shows that with his time and his actions.

When he found out that I had melanoma last year, he was the paradigm of friendship, sympathy and kindness. He wanted to help in any way he could. He calls regularly to check on my health. He takes the time to visit and listen. He wants to lift me above this challenge in the same way he did over a dozen years ago. The only cure for melanoma is to live every day with meaning and to treasure your family and friends. I treasure Gino's friendship and hope that I will see him soon, and that in the meantime, we will be in touch and again help each other through these new challenging times.

I understand that others may urge this Court to the limits of the guidelines. Those voices do not know the real meaning of time served in prison. Unfortunately, they may have been hardened by a system that embraces brutality and stereotypes. If they could see past the façade to a person of quality, they would appreciate Gino as a good person. If they only knew what it is really like to be imprisoned, they too would urge more mercy, kindness and understanding. Fortunately, you have the power to temper the calls for a sentence out of proportion to any levied in this case, and do justice as defined by reason and mercy.

Sincerely,

A handwritten signature in black ink, appearing to read 'William F. Duker', written in a cursive style.

William F. Duker

Anna Lev
148-05 Rockaway Beach Blvd.
Neponsit, NY 11694

March 15, 2011

The Honorable Sidney H. Stein
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Regarding: Unites States of America vs. Yevgeny Shvartsshteyn

Dear Judge Stein,

My name is Anna Lev; I am a 33-year-old single mother of two. I have a BFA from the school of Visual Arts, where I studied Photography. I am writing this letter on behalf of Yevgeny (Gino) Shvartsshteyn. I met Gino when I was 15 years old at a close family friends wedding and we became instant friends. We have known each other for 18 years now. He is the father to my two beautiful children Katerina and Tyler, twins who are now 9 years of age.

The ordeal of this recent year with Ginos arrest and now, conviction, has